

EXHIBIT A

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
CHICAGO DIVISION**

CASE NO.: 1:23-cv-01823

DOMINIC GWINN,

Plaintiff,

v.

CITY OF CHICAGO, and DAVID O'NEAL
BROWN,

Defendants.

**PLAINTIFF'S INITIAL DISCLOSURE
STATEMENT PURSUANT TO FED. R. CIV. P. 26(A)(1)**

Pursuant to Fed. R. Civ. P. 26(a)(1), Plaintiff DOMINIC GWINN, by and through his undersigned counsel, hereby serves his Initial Disclosures as follows:

GENERAL LIMITATIONS AND EXEMPTIONS

1. This disclosure is made upon a good faith review of the information readily available to Plaintiff at this time. Plaintiff's investigation into all claims, counterclaims, and defenses are not complete and remain ongoing. Plaintiff reserves the right to make subsequent disclosures and to amend his disclosures in the course of discovery.

2. Plaintiff will withhold information and not disclose information protected by the attorney-client privilege or protected by the work product doctrine. Such information includes, without limitation, information prepared at the request of Plaintiff's attorneys or by attorneys of Plaintiff or his representatives or agents in anticipation of litigation or for trial, any materials containing or reflecting mental impressions, conclusions, opinions, and/or legal theories or the bases thereof of any attorneys for Plaintiff, or any other applicable privileges. However,

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disclosure of the identity and existence of such information in no way constitutes a waiver of any applicable attorney-client privilege or privilege under the work product doctrine or any other applicable privileges.

3. Plaintiff, in making his initial disclosures, does not waive any objection based upon relevance, materiality, confidentiality, privilege, immunity from disclosure, or other grounds available under the Federal Rules of Civil Procedure.

4. Plaintiff will disclose the information required by Rules 26(a)(2)-(3) at a time agreed upon by the Parties or when ordered to do so by this Court.

INITIAL DISCLOSURES

A. PERSONS WHO MAY HAVE DISCOVERABLE INFORMATION (Fed. R. Civ. P. 26(a)(1)(A)(i))

Pursuant to Federal Rule of Civil Procedure 26(a)(1)(A)(i), based on the information currently available to Plaintiff, the following individuals may have knowledge of discoverable information that Plaintiff may use to support his claims and defenses. Plaintiff may supplement this list of witnesses if further investigation or discovery results in the identification of additional persons. Unless otherwise specified, Plaintiff's employees, former employees, and consultants should be contacted through Plaintiff's undersigned counsel at SRIPLAW, 21301 Powerline Road, Suite 100, Boca Raton, Florida, 33433.

<u>NAME</u>	<u>SUBJECT MATTER</u>
Dominic Gwinn c/o Plaintiff's Counsel	<ul style="list-style-type: none"> • The creation of the copyrighted works at issue and their registration • The infringement of the copyrighted works • Plaintiff's damages
Corporate Representative of City of Chicago c/o Defendant's Counsel	<ul style="list-style-type: none"> • The copying and distribution of the copyrighted works at issue • The creation of derivative works from the copyrighted works at issue • The Defendant's profits from the infringement
David O'Neal Brown c/o Defendant's Counsel	<ul style="list-style-type: none"> • The copying and distribution of the copyrighted works at issue • The creation of derivative works from the copyrighted works at issue • The Defendant's profits from the infringement

In addition to the persons identified above, Plaintiff may rely on the persons and/or entities disclosed by Defendants, as well as any other persons or entities who are deposed or provide documents in this case.

B. DOCUMENTS (Fed. R. Civ. P. 26(a)(1)(A)(ii))

Pursuant to Federal Rule of Civil Procedure 26(a)(1)(A)(ii), Plaintiff identifies the following documents, electronically stored information, and tangibles that Plaintiff may use to support his defenses. Plaintiff may supplement this list of documents if further investigation or discovery results in the identification of additional categories of materials.

Plaintiff will make available all documents, data compilations, and tangible things that are likely to bear significantly on any claim or defense for inspection on a mutually convenient date and time at the offices of counsel for Plaintiff. The categories of documents include, but are not limited to:

- a. Documents regarding the creation of the Work;

- b. Documents regarding the registration of the Work with the United States Copyright Office;
- c. Documents regarding the infringement of the Work; and
- d. Documents regarding Plaintiff's damages.

A copy of all documents and tangibles that are likely to bear significantly on any claim or affirmative defense will be made available for inspection on a mutually convenient date and time at SRIPLAW, 21301 Powerline Road, Suite 100, Boca Raton, Florida, 33433.

C. DAMAGES (Fed. R. Civ. P. 26(a)(1)(A)(iii))

Pursuant to Rule 26(a)(1)(A)(iii) of the Federal Rules of Civil Procedure, Plaintiff will make available for inspection a computation of any categories of damages.

Plaintiff has not completed his computation of the damages he may claim in this action. Plaintiff requires additional discovery in order to determine the full extent of the infringement before Plaintiff can produce a computation of his damages. Damages are continuing. Plaintiff reserves the right to supplement this response in the future.

D. INSURANCE AGREEMENTS (Fed. R. Civ. P. 26(a)(1)(A)(iv))

None.

DATED: June 27, 2023

Respectfully submitted,

/s/ Joel B. Rothman
JOEL B. ROTHMAN
SRIPLAW, P.A.
21301 Powerline Road
Suite 100
Boca Raton, FL 33433
Telephone: 561-404-4350
Email: joel.rothman@sripaw.com

YANLING JIANG

YI BU
JIANGIP, LLC
33 West Jackson Boulevard
Ste 200
Chicago, IL 60604
630-733-9483
Email: yanling@jiangip.com

EVAN A. ANDERSEN
Evan.andersen@sriplaw.com
SRIPLAW, P.A.
3372 Peachtree Road
Suite 115
Atlanta, GA 30326
404.496.6606 – Telephone
561.404.4353 – Facsimile
PRO HAC VICE

Counsel for Plaintiff Dominic Gwinn

CERTIFICATE OF SERVICE

The undersigned does hereby certify that on June 27, 2023, a true and correct copy of the foregoing document has been sent via electronic mail to all parties listed on the Service List below.

/s/ Joel B. Rothman
JOEL B. ROTHMAN

SERVICE LIST

JOSEPH F. SCHMIDT
TAFT STETTINIUS & HOLLISTER LLP
111 East Wacker Dr.
Suite 2800
Chicago, IL 60601
Email: jschmidt@taftlaw.com